

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6518

BILL NUMBER: SB 202

NOTE PREPARED: Mar 10, 2009

BILL AMENDED: Mar 10, 2009

SUBJECT: Lead-Based Paint Activities.

FIRST AUTHOR: Sen. Gard

FIRST SPONSOR: Rep. Day

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 X FEDERAL

IMPACT: State

Summary of Legislation: This bill transfers administration of the lead-based paint activities program from the Department of Environmental Management (IDEM) to the Indiana State Department of Health (ISDH) and amends the definition of "elevated blood lead level" for purposes of the program.

The bill provides that lead-based paint activities rules adopted before July 1, 2009, by the Air Pollution Control Board are considered rules of the ISDH after December 31, 2009, and requires the ISDH to adopt rules to replace the rules of the control board. The bill sets forth circumstances under which the ISDH may investigate lead-based paint abatement activities. The bill specifies that the requirements for retail establishments that sell paint do not apply to paint and paint products that are used solely for crafts or hobbies. It also repeals current provisions governing the IDEM lead-based paint activities program.

Effective Date: July 1, 2009.

Explanation of State Expenditures: Under a Memorandum of Understanding, effective October 1, 2007, the ISDH assumed responsibility from IDEM for implementing and enforcing state and federal regulations concerning lead-based paint. The federal funds that provided for staffing and program needs were transferred to ISDH along with two staffing positions. The transfer was designed to improve communication between state and local agencies.

The ISDH must adopt rules to replace the rules of the control board. The ISDH should have resources currently in place to provide for the adoption of rules.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: IDEM; ISDH.

Local Agencies Affected:

Information Sources: Sandra A. Flum, Director, Community Relations, Office of External Affairs, IDEM, 317-233-9479; ISDH website, <http://www.in.gov/isdh/19131.htm>.

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